

**REMARKS**

Entry of the foregoing, reexamination and reconsideration of the subject application are respectfully requested in light of the amendments above and the comments which follow.

In the Office Action Summary it is erroneously stated that claims 1-11, 18 and 19 are pending. In fact, claims 1-15 and 17-19 were pending at the time of the Office Action. By the present response, claims 5, 6, 11, 12, 14 and 17 have been amended, claims 12-15 and 17 have been withdrawn as being directed to a non-elected invention, and claim 20 has been added. Thus, upon entry of the present response, claims 1-15 and 17-20 are pending while claims 1-11 and 18-20 await further consideration on the merits.

Support for the foregoing amendments can be found, for example, in at least the following locations in the original disclosure: page 2, lines 20-22 and the original claims.

***ELECTION/RESTRICTION***

On March 16, 2009, applicants filed an Amendment and Response to Restriction Requirement electing Group I with traverse. In paragraph 1 of the Official Action, the Examiner characterizes applicants' traversal as being grounds that due to the close relationship of the subject matter recited in Groups I-III, the resulting overlap would be such that no serious burden would be presented if examined together. However, applicants respectfully point out that in the response filed on March 16, 2009, applicants clearly stated: "Groups I, II and III are all directed to an invention possessing a common technical feature that is neither

disclosed or suggested by the prior art." It appears as though this basis for traversal of the restriction requirement has been overlooked, as no mention is made of it whatsoever in paragraph 1 of the Official Action. Therefore, review of the response filed March 16, 2009, withdrawal of the restriction requirement, and examination of claims 12-15 and 17 together with the remaining claims is respectfully requested.

Applicants further note that the status of the claims indicated in paragraph 2 of the Official Action, as well as the status of the claims appearing on the Office Action Summary, is incorrect. At the time of the Official Action, claims 1-15 and 17-19 were pending. Claims 12-15 and 17 have now been withdrawn as being directed to a non-elected invention. However, withdrawn claims are still counted as pending claims. Moreover, in the Office Action Summary, it is erroneously stated that claims 12-17 are withdrawn from consideration. By the response filed March 16, 2009, claim 16 was canceled. Thus, it appears that claims 12-15 and 17 have been withdrawn from consideration as being directed to a non-elected invention.

#### ***OBJECTION TO THE SPECIFICATION***

The Abstract stands objected to on the grounds set forth in paragraphs 2-3 of the Official Action. By the present response, applicants have amended the Abstract in a manner which is believed to address the above-noted objections. Thus, reconsideration and withdrawal of the objection is respectfully requested.

**CLAIM OBJECTIONS**

Claim 10 is objected to because of a minor informality. Claim 10 has been amended to address the objection. Thus, reconsideration and withdrawal of the objection is respectfully requested.

**CLAIM REJECTIONS UNDER 35 U.S.C. §103**

Claims 1-11 and 18-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,951,119 to Quenzer (hereafter "*Quenzer*") and in view of the publication Compact Self-Aligning Assemblies with Refractive Microlens Arrays made by Contactless Embossing by Schulze (hereafter "*Schulze*") on the grounds set forth in paragraph 3 of the Official Action. For at least the reasons noted below, this rejection should be withdrawn.

The present invention is directed to a method of treating a surface of a pre-existing optical lens in order to improve the optical properties of the previously-formed lens. A method performed according to the principles of the present invention is set forth in claim 1. Claim 1 recites:

1. *A method for follow-up treatment of the contour of the surface of at least one optical lens which is made of glass or a glass-type material and which has a convex lens surface delimited by a circumferential line abutting on a plane section surrounding said circumferential line and which has a lens underside facing the convex lens surface, placing along said circumferential line of the optical lens on said plane section is placed a means perfectly matching said circumferential line and at least laterally bordering said convex lens surface, heating said optical lens to a temperature of at least the transformation temperature of said glass or glass-type material, wherein pressure equalization prevails between said convex lens surface and said lens underside, and after a certain period of time, during which said optical lens undergoes said*

*temperature treatment and subsequent cooling below said transformation temperature, said means is removed from said optical lens.*

Neither *Quenzer et al.* nor *Schulze* disclose or suggest the method of the presently claimed invention. As evident from the above, claim 1 is directed to "a method for follow-up treatment of the contour of the surface of at least one optical lens . . . ." Thus, it is clear that the method of claim 1 is directed to the treatment of a pre-existing contour on a pre-existing or previously formed optical lens.

*Quenzer* is directed to a method for producing micromechanical and microoptical components. *Quenzer* corresponds to WO 01/38240, which is discussed at length on pages 1-2 of the present specification. However, contrary to the above-noted requirements of claim 1, *Quenzer* is directed to a method for creating a curved or contoured surface on at least one side of a flat glass-like substrate (3) in the first instance, not a follow-up treatment on a preexisting contoured lens surface. Thus, *Quenzer* fails to disclose, or even suggest, at least this aspect of the presently claimed invention. In addition, as admitted on pages 5-6 of the Official Action, *Quenzer* does not disclose additional aspects of the method recited in claim 1.

*Schulze* is cited as allegedly satisfying these deficiencies of *Quenzer* with respect to the requirements of claim 1. However, just like *Quenzer*, *Schulze* discloses techniques for taking a flat piece of thermoplastic material and creating a curved or contoured surface on at least one side thereof. This is clearly illustrated in Figures 2-3 of *Schulze*. However, just as is the case with *Quenzer*, *Schulze* fails to disclose, or even suggest, a follow-up treatment of the contour of the surface of at least one optical lens, as clearly required by claim 1. Thus, even if the proposed

combination of prior art references were appropriate, the claimed invention would not result. Reconsideration and withdrawal of the rejection is respectfully requested.

The remaining claims rejected on the above-noted grounds depend from claim 1. Thus, these claims are also distinguishable over *Quenzer* in view of *Schulze* for at least the same reasons noted above.

In addition, with respect to claim 6, claim 6 additionally requires that an elliptical gradient on the contour of the pre-formed optical lens is reduced or eliminated through the steps taken by the method of the presently claimed invention. It is alleged that *Quenzer* teaches this aspect of claim 6 at column 8, lines 22-35. This assertion is respectfully traversed. This portion of the *Quenzer* disclosure is reproduced below:

*For maintaining the concave dents forming on the upper side of the glass wafer (3) during the annealing process, which upper side is turned away from the Si wafer (2) and which dents are provided to serve technological applications of interest, as will be set out in the following, the structured surface of the Si wafer (2) should have dents of the structure widths B and the glass wafer (3) should have a thickness D, which satisfy the following relationship:*

$$B \geq 0.1D$$

*In this manner it will be ensured that the material flow into the recesses will actually produce the desired effects on the opposite side of the glass wafer (3) and results in the concave dents.*

This portion of *Quenzer* refers to concave "dents" formed on the surface of a flat substrate through the melt flow process of *Quenzer*. It does not contain any reference whatsoever to the elimination of an elliptical gradient present on the curvature or contour of a surface of a pre-existing or a pre-formed optical lens. To reiterate, *Quenzer* discloses a technique whereby such an elliptical gradient is

created in the first place. Thus, claim 6 is also distinguishable over *Quenzer* in view of *Schulze* for at least this additional reason.

**NEW CLAIM**

By the present response, claim 20 has been added. Claim 20 depends from claim 1. Thus, this claim is also distinguishable over the applied prior art for at least the same reasons noted above. In addition, claim 20 further specifies that the contour recited in claim 1 comprises a pre-existing elliptical gradient at an edge region of the at least one optical lens. For at least the reasons explained above, neither *Quenzer* nor *Schulze* discloses or suggests this additional aspect of the presently claimed invention.

**CONCLUSION**

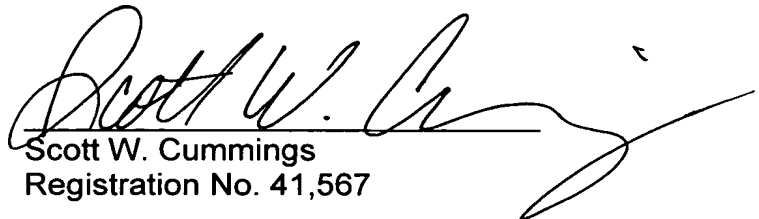
From the foregoing, further and favorable action in the form of a Notice of Allowance is earnestly solicited. Should the Examiner feel that any issues remain, it is requested that the undersigned be contacted so that any such issues may be adequately addressed and prosecution of the instant application expedited.

Respectfully submitted,

BUCHANAN INGERSOLL & ROONEY PC

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